

# King County Fire Protection District No. 27

## Minutes

A regular meeting of the Board of Commissioners of King County Fire Protection District No. 27 was held on October 9, 2012 at Station No. 271 located at 4301 334th PL SE in Fall City, Washington.

Commissioner Hollis called the meeting to order at 7:02 p.m.

### Present:

Commissioner Hollis  
Commissioner Meredith via phone  
Secretary Evans

### In Attendance:

Lt. LeDoux	Charles Kellogg	Irene Pike
FF Turcotte	Judy White	
FF White	Jonathan White	

Chairperson Williams absent and excused.

### BUSINESS FROM THE FLOOR:

#### **Jim Nelson, Martin Nelson & Co., Bond Refinancing**

Mr. Nelson introduced himself and provided a bond refinancing packet for the Board to review. He stated that the standard practice for bonds is a prepayment option which begins in the tenth year and the District's 2001 G.O. Bonds became callable in 2011. With historic low interest rates occurring now it's an ideal time to refinance and save money for the taxpayers of the District. Mr. Nelson reviewed the current outstanding interest rates on the bonds.

Mr. Nelson stated that assuming the refinancing moves forward, the District would close on 12/27/2012 and then we need to allow thirty days for escrow investment. The call date then would be set for 1/29/2013. The District would need a cash contribution of about \$10,707 to pay the interest owed to the investors holding the bonds from 12/1/2012 – through 1/29/2013. The District would include the \$10,707 with the second half of the tax collection in 2013.

Overall the estimated net savings with financing costs deducted is approximately \$191,941, with annual savings of \$21,327 over the next nine years. Mr. Nelson reviewed the 20 year bond index with the Board. Mr. Nelson reviewed the refinancing process which would take approximately 9 -10 weeks. Further discussion ensued on the bond rating grade factors.

Commissioner Meredith asked if there were any factors that would prevent the District from getting a sufficient rating. Mr. Nelson replied that there are a couple of strategies we can do; ask for a preliminary credit assessment, and we would analyze the District's financial overview and economic factors, this should give us a pretty good indication of where the District will be at.

Commissioner Hollis asked how long does the preliminary credit assessment take? Mr. Nelson stated that once the preliminary official statement is done by around October 22, then within the first week or second week in November we would start the rating process. Commissioner Hollis stated that the District could move forward and get the preliminary rating grade prior to a full commitment.

Commissioner Hollis inquired about the refinancing costs. Mr. Nelson stated that the total costs that are already built into the refinance are about \$30,000. There is the bond underwriter's fee, bond attorney fee, escrow agent fee, and the rating fee.

Mr. White asked about the differences between the rating services and why one is used over the other one. Mr. Nelson stated that Standard & Poor's has been more responsive to Washington municipalities and we can achieve higher rating grades. Moody's has had some problems with their rating criteria and Fitch has typically been the second player behind the other two.

Commissioner Hollis and Commissioner Meredith both agreed that they would like to move forward on the refinance process.

On the Motion made by Commissioner Hollis and a second by Commissioner Meredith the Board approved having Mr. Nelson with Martin Nelson & Co. proceed with the preliminary credit assessment for the bond refinance.

Motion Carried.

Mr. Nelson further stated that if the Board were considering any future capital expenditure needs, in the short term of 36 months, the refinance could be combined to include non voted debt as well. The Bonds could be segregated with series A and series B bonds. The District could take advantage of the low interest rates, pay the service fees one time and have one disclosure document.

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The Board thanked Mr. Nelson for his presentation; he left the meeting at 7:24 p.m.

### Public Comments

Judy White - 4526 334<sup>th</sup> Ct. SE, Fall City

Mrs. White provided and read a letter to the Board opposing Resolution 2012-1 and requesting that Resolution 2012-1 be rescinded.

(Letter attached)

Mrs. White stated that she also had an email from her neighbor Phil Kippen, who couldn't be here tonight but asked to convey his opinion - stating that he has one and half acres with eight mature maple trees and no way to get rid of the debris that they produce. He was annoyed that no air study was done and that the Board had acted without a public hearing.

Charles Kellogg - 32818 SE Issaquah - Fall City Rd., Fall City

Mr. Kellogg stated that he has two properties in Fall City, one is fourteen acres and the other is over seven acres. "I do use burning to dispose of debris and I think if it is done at the right time when the air quality is conducive to it, and there is no fire hazard, it is a good way to dispose of the debris". Mr. Kellogg further stated "that much of what I need to dispose of is blackberry bushes, and the local recyclers will not take them". "I do appreciate air quality as an ongoing issue and I do support working towards improving our air quality, but in reading through the minutes of the last meeting, it looks like maybe there may be some provisions for having a couple of times during the year that burning could be allowed". He further stated that "I would like to go on the record for allowing burning in some way so that I can get rid of my debris that tends to pile up.

Irene Pike - 4431 - 335<sup>th</sup> PL SE, Fall City

Mrs. Pike stated that she is in the no burn area and she has a lot of brush and bushes that grow so fast and if she can't trim them down and be able to burn the debris it will become an overgrown forest. "We always depend on this. I have lived here all my life and I have always been able to burn, it was quite a shock when we got the letter that said no burning." Mrs. Pike further stated "I hope there's something the Board will do if we don't get to burn before the rule goes into effect, somehow allowing us to burn after we get some rain. We live out here in a rural area where we think we can do these things, and now little by little all our rights are taken away from us and it is quite a shock that we are not going to be allowed to do this anymore".

Commissioner Meredith stated that he appreciated everybody's comments.

Commissioner Hollis stated that he was a little shocked that there are feelings that the Board did this underhandedly. Mrs. White replied that there was no public notice, and in order to get copies of the meeting minutes, you have to send in for public records request. Further discussion ensued regarding the availability of the minutes and the records request procedure.

Commissioner Hollis stated that several years ago Puget Sound Clean Air Agency did a study and as a whole King, Snohomish, Pierce, and Kitsap County should not have outdoor burning. He further stated that due to the density of the downtown area, we should not have outdoor burning. Mrs. White asked if a more recent study had been done, and what prompted the changes to occur now, she hasn't seen a change in the population. She further stated that the people who violate the burning regulations should be fined, and now those of us who have always followed the rules are being penalized.

Further discussion ensued and Lt. LeDoux explained the difficulties of imposing fines on individuals who burn illegally. He explained the District's procedures and what would trigger the District to contact Puget Sound Clean Air Agency for further investigation.

Mrs. White expressed her dissatisfaction that the Board was leaving her with limited choices, because of the weather, we have not able to burn, and then if the burn ban goes off we will have a limited amount of time before the new rule goes into effect. I have blackberries and knotweed, the recyclers won't take them. She would like the Board to make a decision in extending the burning season this year so that we can get rid of our debris.

Charles Kellogg commented that maybe King County Conservation District might be a good resource and able to help provide information about composting and chipping yard debris.

Commissioner Hollis thanked the citizens for their comments.

Lt. Ledoux stated that Local 2878 recently ratified the new collective bargaining agreement and we want to thank the Board of Commissioners and Chief Connor for working with us and coming to an agreement for both sides.

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### **APPROVAL OF MINUTES:**

On the Motion made by Commissioner Meredith and a second by Commissioner Hollis the Board approved the minutes of the September 11, 2012 Regular meeting.

Motion Carried.

### **WARRANTS:**

The Board reviewed the various vouchers drawn on the expense fund.

On the Motion made by Commissioner Meredith and a second by Commissioner Hollis the Board approved the following expenses and signed the authorization documents.

Voucher No. 19680 -19712 totaling \$47,394.79

Payroll and EFT transactions totaling \$94,003.51

Motion Carried.

The King County Accounts Payable Authorized Signatures Form was presented and signed by Commissioner Hollis.

### **FINANCIAL REPORTS:**

The Board reviewed the monthly budgets and financial statements. Secretary Evans reported that King County received a settlement for one of the impaired investments accounts. The District received \$950.93 in the Expense fund and \$71.34 in the Bond fund the deposits were posted in August and the budget was adjusted to reflect this. The rebate adjustment for the County's cash management fees were posted in September.

### **STATION USER AGREEMENTS:**

#### **CORRESPONDENCE:**

A letter from the Sno Valley Senior Center thanking the District for our participation in providing a fire station dinner and ride in the parade auction items for the Senior Center's 2012 benefit auction was received.

#### **CHIEF'S REPORT:**

Chief Connor was absent and no report was provided.

Alarm reports were provided to the Board.

#### **UNFINISHED BUSINESS:**

##### **Future Options – Revenue and Expenses**

Secretary Evans provided the dates of the elections for 2013 and stated that the resolutions for calling for a special election would need to be presented 46 days prior to the election for the February and April elections. In August the resolution needs to be filed no later than the Friday immediately before the first day of regular candidate filing and for the general election in November no later than the day of the primary election.

##### **Outdoor Burning**

Commissioner Hollis stated that the Board is not going to take any action on outdoor burning tonight. The Board will leave it on the agenda for further comment and discussion. Commissioner Meredith stated that he would like to include Commissioner Williams and Chief Connor in this discussion.

##### **Collective Bargaining Agreement**

The 2013 – 2015 Collective Bargaining Agreement was presented to the Board for approval. The final copy had been sent via e-mail for the Commissioners to review. Commissioner Hollis stated that he and Chief Connor both recommended approving the agreement.

On the Motion of Commissioner Meredith and a second by Commissioner Hollis the Board approved the 2013 - 2015 Collective Bargaining Agreement.

Motion Carried.

Commissioner Hollis and Commissioner Meredith thanked Lt. LeDoux and FF Springer for the work on the agreement.

##### **2013 Draft Budget**

Secretary Evans stated that she had no changes to report tonight. The District is still waiting for a finalized tax levy worksheet. She also reminded the Board that the public hearing on the 2013 budget would need to be scheduled. The Board tentatively scheduled the special meeting for November 27.

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**NEW BUSINESS:**

**OTHER:**

Secretary Evans stated that the Appreciation Banquet is scheduled for Saturday, December 1 at the Fall City Roadhouse.

**Adjournment:**

With no further business to discuss the meeting was adjourned by Commissioner Hollis at 8:08 p.m.

Attest:

Melinda Evans  
Board Secretary

Melinda Evans

Lois Williams  
Commissioner

[Signature]  
Commissioner

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Commissioner

Judy C. White  
POB 459 - 4526 334<sup>th</sup> Ct. SE  
Fall City, WA 98024

October 9, 2012

The Board of Commissioners  
King County Fire Protection District No. 27

Re: Resolution 2012-1

Dear Commissioners:

My property is within the boundaries of the No Outdoor Residential Burning area established by King County Fire Protection District 27 in Resolution 2012-1.

Upon receipt of the letter to the Citizens of KCFPD27 dated July 10, 2012, my reaction was that of great annoyance, as I feel I have made the effort to comply with the terms outdoor burning permit, in addition to trying to be sensitive to my neighbors by doing my burning at a time and place which will be least offensive to them. For example, I have called the fire station to check conditions before starting the fire as stated on the permit, I have tried to burn on days that are cooler, so fewer folks would be outside or have windows open and therefore be affected, and I have selected a place to burn on my property where the natural air currents take the residual smoke away from my neighbors. I try to be law abiding and a good neighbor.

As this year's weather pattern has developed, the spring was extremely wet and I was unable to burn the debris that had accumulated from the winter storms. When I received the above mentioned letter, I calculated that given normal NW weather patterns, the rains would start in late August or early September, and a window of burning would open prior to the permanent ban being put into effect, so I could burn my accumulated debris and then prepare to comply with the new restriction with a 'clean plate' so to speak. As we all know, the weather has not been normal.

Upon reviewing the minutes of the Board of Commissioners meetings where the outdoor burning restriction has been discussed, it became apparent that the Board has created this new rule without addressing the problem. In only one sentence of one meeting was the core of the problem mentioned: "Discussion ensued regarding the handful of nuisance and illegal burners that contribute to the problem." Quoted from the April 10, 2012 regular meeting of the Board of Commissioners of KCFPD27.

There is no mention of air quality studies completed in this area, no mention of rules or regulations or directives from higher regional or state agencies, only the statement of one commissioner on the Board

who, "would like to initiate a resolution eliminating outdoor yard debris burning in the downtown area of Fall City." Quoted from the April 10, 2012 regular meeting of the Board of Commissioners of KCFPD27.

At the same meeting, April 10, 2012, it was suggested that public hearing on the issue be considered. No action was taken on this suggestion. At a later meeting on June 12, 2012, that it was determined that a public hearing was not required and that, "...the Board was resolute about implementing the new residential burning boundaries and she (Commissioner Williams) would not anticipate holding a public hearing." Quoted from the June 12, 2012 regular meeting of the Board of Commissioners of KCFPD27.

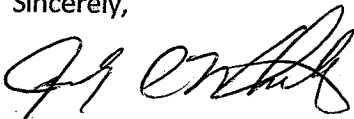
In reviewing the minutes of the August 16, 2012 meeting of the Board, it was evident that many residents of the affected burn ban areas are not in agreement with the action of the Board and would like to see a change or revocation of this resolution.

I am adamantly opposed to the resolution as it stands for two reasons:

1. The problem of nuisance and illegal burners has not been addressed in any form. There was no directive from the Board to the Chief to enforce the rules as they existed or to penalize or educate those who violate the existing rules.
2. The process by which this rule was implemented was underhanded and presumptuous on the part of the Board. No facts or studies or directives prompted the action, and in spite of several discussions regarding public hearings on a known contentious issue, none were held.

I am requesting the Board rescind Resolution 2012-1 and to re-examine the problem. If a new ban is necessary, it should be implemented only after action is taken to educate, reform, or penalize violators of the existing rules, and then only after adequate input from the residents of the District is considered.

Sincerely,



Judy C. White